United Nations S/PV.6832

Security Council

Sixty-seventh year

Provisional

6832nd meeting

Wednesday, 12 September 2012, 10.15 a.m.

New York

President:	Mr. Wittig	(Germany)
Members:	Azerbaijan	Mr. Mehdiyev
	China	Mr. Li Baodong
	Colombia	Mr. Alzate
	France	Mr. Araud
	Guatemala	Mr. Rosenthal
	India	Mr. Manjeev Singh Puri
	Morocco	Mr. Bouchaara
	Pakistan	Mr. Tarar
	Portugal	Mr. Moraes Cabral
	Russian Federation	Mr. Pankin
	South Africa	Mr. Laher
	Togo	Mr. M'Beou
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Mrs. DiCarlo

Agenda

The situation in Libya

Report of the Secretary-General on the United Nations Support Mission in Libya (S/2012/675)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506.

12-50438 (E)

Please recycle

The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Libya

Report of the Secretary-General on the United Nations Support Mission in Libya (S/2012/675)

The President: Under rule 37 of the Council's provisional rules of procedure, I invite the representative of Libya to participate in this meeting.

Under rule 39 of the Council's provisional rules of procedure, I invite Mr. Jeffrey Feltman, Under-Secretary-General for Political Affairs, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I wish to draw the attention of members of the Council to document S/2012/675, which contains the report of the Secretary-General on the United Nations Support Mission in Libya.

I now give the floor to Mr. Feltman.

Mr. Feltman: Yesterday, as you mentioned before the meeting, Mr. President, the world witnessed a sobering reminder of the challenges faced not only by the Libyans but by those in the international community who are committed to supporting Libya's ongoing transformation. In Benghazi, the United States diplomatic presence was deliberately attacked and burned; those claiming responsibility cited a video insulting to Islam as their motivation. Four United States diplomats were killed in the attack, including the United States Ambassador to Libya, John Christopher Stevens. I have seen reports that Libyan security personnel were also killed.

The United Nations rejects the defamation of religion in any form, but there is no justification for violence such as that which occurred in Benghazi yesterday. We condemn in the strongest terms this attack on a diplomatic facility, and we offer our condolences to the families of those killed, Libyan and American, and our wishes for a speedy and full recovery to the injured.

The Organization, under the direction of the Secretary-General, is committed to doing its best to support Libya's ongoing transition and help the Libyan people achieve their aspirations for a secure, democratic, united and prosperous Libya. We work in partnership first and foremost with the Libyan people and Government, but also with other governmental and non-governmental partners. The Secretary-General reminds the Libyan authorities of their obligation to protect diplomatic facilities and personnel. We welcome statements by Libyan authorities confirming that they will bring those who killed the diplomatic personnel to justice.

The United States Ambassador Chris Stevens was a close colleague and dear friend; we had worked together for years during my tenure at the State Department. I would like to add my own words of condolence to his family and the wide circle of friends he had around the world.

This attack, together with a spate of assassinations of security personnel in Benghazi, a series of explosive devices in Tripoli and attacks on Sufi shrines, further emphasizes the security challenges facing the authorities in Libya, a major theme of the Secretary-General's report before the Council (S/2012/675). While the Secretary-General's report was prepared before the news of the attack on the United States office in Benghazi, it details some of the most important milestones in Libya's democratic transition since the last briefing to the Council, on 18 July (see S/PV.6807). I will focus on the most significant developments since the report was prepared and outline some of the challenges facing the new Libyan authorities, and the way forward.

The transfer of authority from the National Transitional Council to the 200-member General National Congress on 8 August marked a historic moment. For the first time in more than four decades, Libya now has a democratically elected body. On 9 August, reflecting the sense of public trust and expectation that accompanied its assumption of office, the General National Congress moved quickly to elect a President and two Vice-Presidents, as per the Constitutional Declaration. The use of secret balloting and the fact that the proceedings were broadcast live on television reflect the Congress's commitment to the democratic process. In his meetings with President Al-Magariaf of the General National Congress and his two Vice-Presidents, the Special Representative of the

Secretary-General, Mr. Ian Martin, was assured of their commitment to making a clean break with the past by upholding the principles of transparency and accountability.

The General National Congress will now need to address several urgent priorities. High among them are the need to initiate a national dialogue on reconciliation; to strengthen its capacity to exercise oversight over the Government, a daunting task in view of the country's lack of parliamentary experience; to prevent the persistence of systemic corruption; and to adopt local governance legislation. Progress on local governance issues will constitute a first step towards addressing the legitimate and urgent need for decentralized Government. It is also crucial that the Congress create mechanisms by which civil society is assured a voice and is adequately consulted on all important matters.

On 30 August, the General National Congress provisionally adopted internal rules of procedure following intense discussions and amendments in the plenary. These rules will be critical for shaping Libya's political system, including the authority of the presidency, the voting requirements for decision-making within the Congress and the delineation of powers between the legislative and the executive branches.

At the request of the Libyan authorities, the United Nations Support Mission in Libya (UNSMIL) and the United Nations Development Programme provided various forms of technical assistance to the preparations for the transfer of authority from the National Transitional Council to the General National Congress, and then to the Congress' consideration of its internal rules of procedure and models for a possible secretariat structure. The United Nations also began induction training for the 200 members on issues related to the roles and functions of parliaments and members. The United Nations will continue to provide technical support to the Congress and to coordinate, with the international community, offers of assistance and technical support.

Later today, the General National Congress will vote to appoint a Prime Minister, who will be tasked with presenting a cabinet to the Congress for its approval within two weeks. Today's appointment follows lengthy deliberations within the Congress over eligibility criteria and internal mechanisms for the appointment of the Prime Minister. Each of eight candidates, nominated by at least 15 members, presented their platform and answered questions in televised proceedings. The transparency of this process is a testament to Libya's nascent democracy and sets new standards for the region.

The formation of a Government of national consensus that is inclusive and enjoys widespread support will be key to the ability of the new Prime Minister to effectively address the formidable challenges facing Libya. So too will be the ability of the new Government to work in partnership with the General National Congress.

On the eve of the election, an amendment to article 30 of the Constitutional Declaration by the National Transitional Council changed what was to have been an appointed constitutional commission into an elected constituent assembly. This change has triggered much debate, and the General National Congress has yet to consider how it will respond. This amendment was part of an effort to defuse tensions arising from a perception of marginalization and underrepresentation, mainly in the east, that threatened the security of the national elections. These issues remain a serious concern.

The United Nations continues to encourage the adoption of transparent, inclusive and consultative mechanisms to manage the entire constitutional development process. The United Nations is prepared to offer a broad spectrum of support should the Libyans request it, including on the formation of the constitutional commission's secretariat, draft rules of procedure, public outreach and civic education, induction seminars and ongoing substantive expert assistance. UNSMIL has begun efforts to help coordinate support among other international partners.

The United Nations has encouraged the Libyan authorities to consolidate the knowledge gained from the holding of elections and to preserve an institutional infrastructure to serve future elections. The United Nations has also begun to implement plans designed to increase awareness and knowledge of electoral issues among decision-makers and the public at large.

I discussed at the beginning of this briefing the attack against the United States diplomatic facility in Benghazi. This is one example, but not the only one, demonstrating that security is foremost among the challenges and expectations facing the Libyan people and authorities. In his remarks marking the dissolution of the National Transitional Council, Chairman

Mustafa Abdul Jalil acknowledged shortcomings in addressing these issues, a sentiment echoed by the General National Congress leadership and political leaders. These challenges are manifested by the presence of arms outside State control, lack of clarity and competition over security responsibilities between and within relevant ministries and institutions, and the continued prevalence of armed brigades. In addition to these concerns, border security remains a top national priority in the efforts to combat the smuggling of arms, drugs, human trafficking and illegal migration, as well as the spread of transnational organized crime.

Leaders from across the political spectrum have voiced their intention to make security their highest priority. It is clear that the General National Congress expects the new cabinet to move quickly to announce immediate measures to begin to remedy these shortcomings as part of a longer-term national security vision and plan.

To assist the Government, UNSMIL is focusing its advisory and coordination efforts on six key interrelated areas: the national security architecture; police reform; defence reform; arms and ammunition management; border security; and disarmament, demobilization and reintegration. Accordingly, UNSMIL has increased its advisory capacity and stepped up efforts to strengthen international coordination for support to security sector governance.

The urgency with which the security vacuum in Libya needs to be addressed was also highlighted by the spate of attacks on Sufi shrines over the past few weeks. These include the destruction on 24 August of one of Libya's most revered shrines in the city of Zliten, in which bombs and a bulldozer were used. Further attacks were reported in Tripoli, Benghazi and Misratah. These attacks elicited strong condemnation from the Libyan authorities, including General National Congress President Mr. Mohammad Al-Magariaf, and from Libya's Grand Mufti Al-Sadiq Al-Ghiryani, who stressed that such attacks had no basis in Islam.

The issue of conflict-related detentions in Libya has been particularly salient in briefings and reports to the Council. During August, the prosecutor's office commenced the screening of detainees held in various detention centres in Misratah, leading to the subsequent release of 130 detainees. While this is a positive step, the Ministry of Justice needs to continue its efforts to implement a more systematic, accelerated approach to the screening of all remaining detainees. UNSMIL continues to urge Libyan authorities to put in place measures to prevent and investigate torture and mistreatment and to devise a prosecutorial strategy to deal with the trials of senior former regime members.

UNSMIL is working closely with the Libyan authorities in the area of judicial reform and is assisting in the re-establishment of the prison system, which is essential for bringing all conflict-related detainees under the authority of the Ministry of Justice, an area where progress has been limited. An effective transitional justice strategy will help consolidate democracy and rebuild trust in State institutions in order to address crimes of the past while promoting effective truth-seeking processes.

As the General National Congress assumes its functions, UNSMIL has begun informal consultations on views regarding United Nations support for Libya's needs based on the principles of national ownership. It appears unlikely that there will be any request for adjustment to the mandate as outlined in resolution 2040 (2012). However, there may be additional requests for support within the mandated areas. UNSMIL and the United Nations country team will continue to use a range of modalities to mobilize a surge capacity of technical expertise to respond accordingly, in line with the mission concept of flexibility.

I would like to take this opportunity to thank the staff of UNSMIL and particularly the outgoing Special Representative for his commitment, leadership and outstanding service in this critical period for the Libyan people. As noted, a great deal of work remains to be done, so as we express our appreciation and bid farewell to Ian Martin, the Secretary-General will announce today the appointment of Mr. Tarek Mitri as his replacement. With the support of the Council, Special Representative of the Secretary-General Martin worked tirelessly and courageously in building a strong foundation of United Nations-Libyan cooperation. I am confident that we can count on the Council's strong support for Mr. Mitri and UNSMIL in their work to assist the Libyan people in consolidating and strengthening their democratic transformation.

The President: I thank Mr. Feltman for his briefing.

I now give the floor to the representative of Libya.

Mr. Dabbashi (Libya) (*spoke in Arabic*): At the outset, allow me to congratulate you, Mr. President,

on your assumption of the Security Council for this month. I am certain that, under your wise leadership, the Council will achieve success.

I should like to thank Under-Secretary-General Feltman for his exhaustive briefing.

Allow me, on behalf of the Government and people of Libya, to express our profound condolences to the Government of the United States and to the family of Ambassador Stevens, as well as to the families of his colleagues and those of other Libyan victims killed during the attack against the American Consulate in Benghazi. The Government and the National General Congress have condemned that attack, which was carried out by an extremist group acting outside the law. In that regard, I should like to reiterate the condemnation of Libya's authorities of the attack. I also wish to reaffirm the intention of the Libyan Government to pursue the perpetrators and bring them to justice. The attack in no way serves the interests of Libya's people or authorities. It also cannot be considered to have been in defence of Islam; it does great damage to the image of Islam.

I am deeply saddened by the tragic death of Ambassador Stevens. Ambassador Stevens was a marvelous diplomat known for his openness to the Libyan people, whom he held in the highest regard. His death is a great loss for the Libyan people, as it is for his family and for the United States. He was a friend of Libya who always stood shoulder-to-shoulder with us when we faced murder and destruction during the reign of the despot. He genuinely tried to promote relations between our two countries and to help Libyans to move from revolution towards a new State. It is for that reason that Libyans will always remember Ambassador Stevens as one of Libya's greatest friends who, through his actions and position, helped it to once again assume its place in the international community.

No one can doubt that we in Libya face enormous challenges — including those associated with the State being able to extend its authority throughout its territory and to be able to control all groups. However, this is an interim period. The Libyan people are determined to extend the State's authority throughout the entire country and to form a strong Government that is able to manage the country and bring it from revolution to statehood.

I will not speak at greater length about the attack in Benghazi. An investigation is under way and we will be looking into all the factors that led to this crime. Libyan authorities will announce the results of the investigation and will ensure that anyone responsible for negligence contributing to the attack will be brought to justice. The perpetrators of this heinous crime will be brought to justice.

Libya is party to the Vienna Convention on Diplomatic Relations. We assume our full responsibility in connection with the protection of diplomatic missions operating in Libya, including the protection of their staff and that of all non-Libyan nationals on Libyan territory. Libyan authorities will not allow any of these outlaws to jeopardize the stability of the country.

The President: There are no more names inscribed on my list of speakers. I now invite Council members to informal consultations to continue our discussion of the subject.

The meeting rose at 10.40 a.m.